

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAR 25 1981
 Returned to applicant for correction MAY 18 1981
 Corrected application filed AUG 3 1981
 Map filed AUG 26 1981 under 43390

The applicant Kennecott Corporation

McGill
 of McGill
 Street and No. or P.O. Box No. City or Town
Nevada 89318
 State and Zip Code No.

hereby make S application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

April 29, 1915, New York State

- The source of the proposed appropriation is Upper New Springs No. 2
Name of stream, lake or other source.
- The amount of water applied for is 0.5 c.f.s. second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet acre-feet
- The water to be used for Quasi-Municipal
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
- If use is for:
 - Irrigation (state number of acres to be irrigated)
 - Stockwater (state number and kinds of animals to be watered)
 - Other use (describe fully under "No. 12. Remarks") New Ruth Townsite
 - Power:
 - Horsepower developed
 - Point of return of water to stream
- The water is to be diverted from its source at the following point: in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T.15N., R.62E., M.D.B.&M., or at a point from which the NW Corner of Sec. 26, T.15N., R.62E., M.D.B.&M., bears N. 46°13'43" W., a distance of 14,645.41 feet.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
- Place of use SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 3, and ALSO SE $\frac{1}{4}$ of Section 4, T.16N., R.62E., M.D.B.&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
- Use will begin about 1 January and end about 31 December, of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water is developed in a water tunnel on Ward Mountain and is conveyed to the New Ruth Townsite by pipes.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... Unknown
10. Estimated time required to construct works..... Currently in Use
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use..... Currently in Use
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The Upper New Springs are connected to a pipeline system that conveys water to the New Ruth Townsite in White Pine County, Nevada.

s/G. J. Allen
G. J. Allen, General Manager
Kennecott Minerals Company
Nevada Mines Division
A Division of Kennecott Corporation
Compared bc/bl
br/ja

By s/Richard E. Fonger
Signature, applicant or agent
State Water Right Surveyor, Kennecott Minerals Company, McGill, Nevada 89318

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 0.5 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The total combined duty of water under Permits 43390, 43391, 44090 and 44091 shall not exceed 117.96 million gallons annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.5 cubic feet per second, but not to exceed 117.96 million gallons annually.

Actual construction work shall begin on or before..... N/A

Proof of commencement of work shall be filed before..... N/A

Work must be prosecuted with reasonable diligence and be completed on or before..... March 2, 1984

Proof of completion of work shall be filed before..... April 2, 1984

Application of water to beneficial use shall be made on or before..... March 2, 1986

Proof of the application of water to beneficial use shall be filed on or before..... April 2, 1986

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... MAY 01 1985

Completion of work filed.....

Proof of beneficial use filed..... JUL 30 1986

Cultural map filed.....

Certificate No. 11566 Issued SEP 17 1986

IN TESTIMONY WHEREOF, I..... PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2nd day of MARCH
A.D. 1983